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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	CASE NO. CR-14-00237 JST
)	
Plaintiff,)	STIPULATION AND PROPOSED ORDER
)	CONTINUING STATUS CONFERENCE AND
v.)	EXCLUDING TIME FROM THE SPEEDY TRIAL
)	ACT CALCULATION (18 U.S.C. § 3161(h)(7)(A))
ANTHONY KESLINKE,)	
)	
Defendant.)	
)	
)	
)	

This case is set for a status conference before the Court on October 10, 2014. Martha Boersch was recently retained to represent the defendant and needs additional time to review the large amount of discovery in the case. In addition, government counsel starts a one-week trial in front of Judge Hamilton on October 6, 2014, and therefore will not be able to attend the status conference on October 10. Therefore, the parties jointly request that the Court continue the status conference to November 21, 2014, at 9:30 a.m. Furthermore, the parties agree that excluding time until November 21, 2014, would be appropriate to allow defense counsel time to review the large amount of discovery in the case. The

1 parties also agree that excluding time until November 21, 2014, would be appropriate based on
2 continuity of counsel, given the government attorney's trial schedule.

3 Therefore, the parties agree, and the Court finds and holds, as follows:

4 1. The defendant is currently out of custody.

5 2. Given the need for additional time for defense counsel to review discovery, an exclusion of
6 time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(B)(iv), is appropriate to allow for effective
7 preparation of counsel, taking into account the exercise of due diligence. In addition, the Court finds
8 that it is appropriate to exclude time based on continuity of counsel, given the government attorney's
9 trial schedule. The defendant agrees to this exclusion on the condition that his right to bring motions
10 claiming Speedy Trial Act violations prior to October 10, 2014, shall remain preserved.

11 3. Counsel for the defendant believes that the exclusion of time is in her client's best interest.

12 4. Given these circumstances, the Court finds that the ends of justice served by excluding
13 the period from October 10, 2014, through November 21, 2014, outweigh the best interest of the public
14 and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

15 5. Accordingly, the Court orders that the period from October 10, 2014, through November 21,
16 2014, shall be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

17 6. The status conference is continued to November 21, 2014, at 9:30 a.m.

18
19 IT IS SO STIPULATED:

20 DATED: October 1, 2014

_____/s_____
AARON D. WEGNER
Assistant United States Attorney

21
22
23 DATED: October 1, 2014

_____/s_____
MARTHA BOERSCH
Attorney for Anthony Keslinke

24
25 IT IS SO ORDERED.

26
27 DATED: October 2, 2014



JON S. TIGAR
United States District Judge